

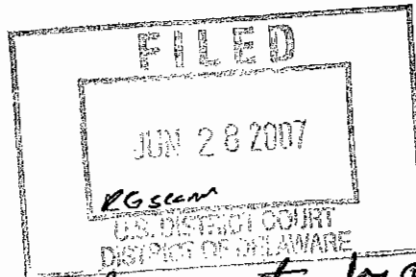
IN THE United States District Court
for the District of Delaware

Round C. Anderson

vs.

General Motors Corp.

Civil Action NO. 05-877 JJJ



05CV877 JJJ

Motion for Judgment - for CA# (05-877 JJJ)
also 15A / objection

On the following NOTICE and TRANSACTION was
entered by Busenell Michael on 6/25/2007 at
4:37 PM EDT and filed on 6/25/07. Case number
1:06 CV -669 - Kiler General Motors

objection by G.M. Response to plaintiff motion
To stay and for reconsider of the order Denying Entry
of Default Judgement.

G.M. In Violation of Judge FARNAN Order of
2-22-07

NOTICE - The following TRANSACTION was enter
on 2/23/2007. at 11:26 AM EST and file on 2/24/07

Case NO: 1:06 -CV 669

ORDER THAT CA 06-669 is consolidated into
CA 05-877. All pleading and documents shall be
file ONLY in CA 05-877 (SEE order for details)

Sign by Honorable Judge Joseph J. FARNAN J.

On 2/22/2007 (Lec), EXA Attach Page 3.

Motions

1:05-cv-00877-JJF Anderson v. General Motors

APPEAL, LEAD, PaperDocuments

U.S. District Court

District of Delaware

Notice of Electronic Filing

The following transaction was entered on 6/11/2007 at 11:17 AM EDT and filed on 6/8/2007

Case Name: Anderson v. General Motors

Case Number: 1:05-cv-877

Filer: Roland C. Anderson

Document Number: 36

Docket Text:

MOTION for Reconsideration re [34] Order - filed by Roland C. Anderson. (lec)

1:05-cv-877 Notice has been electronically mailed to:

Michael Busenkell mbusenkel@eckertseamans.com

1:05-cv-877 Notice has been delivered by other means to:

Roland C. Anderson
Roland C. Anderson, Pro Se
113 Lloyd St.
Wilmington, DE 19804

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1079733196 [Date=6/11/2007] [FileNumber=399972-0]
[6b608e57857ac492462dd918b6f12973e78da8af91262ec8623c963fc3642e8a8b43
beb990d83b7a5e4d74e1acef12017cba10ce0196874140b2bc77ea14f537]]

Utility Events

1:05-cv-00877-JJF Anderson v. General Motors
APPEAL, LEAD, PaperDocuments

U.S. District Court

District of Delaware

Notice of Electronic Filing

The following transaction was entered on 6/11/2007 at 11:14 AM EDT and filed on 6/7/2007

Case Name: Anderson v. General Motors

Case Number: 1:05-cv-877 ✓

Filer:

Document Number: No document attached

Docket Text:

Set Briefing Schedule: re[35] MOTION for Reconsideration re [32] Memorandum Opinion. Answering
Brief due 6/25/2007 (lec).

1:05-cv-877 Notice has been electronically mailed to:

Michael Busenkell mbusenell@eckertseamans.com

1:05-cv-877 Notice has been delivered by other means to:

Roland C. Anderson
Roland C. Anderson, Pro Se
113 Lloyd St.
Wilmington, DE 19804

General Motors miss Deadline & in Filing ^{CA No. 05-822} _{JJF}
 these Responses - sso Judge Farman order (Detail)
 on 2/22/2007 - order states the following
 on page 3 - (point) THE Court will NOT
 Accept pleading Filed In Civil Action
 NO: 06-669-JJF. Sign By THE
 (Honorable Judge Joseph J. Farman J.) ^{EX} A
 (SSO G. in Action for 06-669-JJF) ^{EX} B,
 (making These Responses A moot point).

Thel C. Anderson ✓
 THANK YOU
 Roland C. Anderson
 113 Lloyd St.
 W. D. DOL, 19804
 (307) 994-0914

Conf. of service
 To Honorable Judge Joseph Farman
 Michael Basenell Esq.
 300 Oak Avenue
 Suite 1360
 W. D. DOL, 19801

prte
 6-26-07

EXA

Order also
(588-3)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ROLAND C. ANDERSON,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil Action No. 05-877-JJF
	:	
GENERAL MOTORS,	:	
	:	
Defendant.	:	

ROLAND C. ANDERSON,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil Action No. 06-669-JJF
	:	
GENERAL MOTORS,	:	
	:	
Defendant.	:	

O R D E R

Plaintiff Roland C. Anderson filed two lawsuits pursuant to 42 U.S.C. § 2000 et seq. as captioned above. In both cases Plaintiff proceeds pro se and was granted permission to proceed in forma pauperis pursuant to 28 U.S.C. § 1915.

The Complaints in Civil Action Nos. 05-877-JJF and 06-669-JJF, involve similar allegations of employment discrimination and retaliation against the same Defendant, General Motors. Federal Rule of Civil Procedure 42 provides for consolidation "[w]hen actions involv[e] a common question of law or fact. . .to avoid

unnecessary costs or delay." Fed. R. Civ. P. 42(a). "District courts have the inherent authority to order consolidation sua sponte." Plimpton v. Cooper, 141 F. Supp. 2d 573, 575 (W.D. N.C. 2001) (citing Pickle v. Char Lee Seafood, Inc., 174 F.3d 444 (4th Cir. 1999)). Both Complaints concern common questions of law and fact and are brought against the same Defendant.

At Wilmington this 22 day of February, 2007, IT IS THEREFORE ORDERED that:

1. Civil Action Nos. 05-877-JJF and 06-669-JJF are **CONSOLIDATED** for all purposes.
2. The caption of the Consolidated Action is as follows:


ROLAND C. ANDERSON,	:	
	:	
Plaintiff,	:	
	:	CONSOLIDATED
v.	:	Civil Action No. 05-877-JJF
	:	
GENERAL MOTORS,	:	
	:	
Defendant.	:	

3. The Complaint (D.I. 2) filed in Civil Action No. 05-877-JJF, and the Complaint (D.I. 2) filed in Civil Action No. 06-669-JJF, together will stand as the Complaint in this Consolidated Action.

4. All documents previously filed to date in the cases consolidated herein are deemed filed and are part of the record

in the Consolidated Action.

5. Hereafter, Court pleadings and documents shall be filed **only** in Civil Action No. 05-877-JJF. The Court will not accept pleadings filed in Civil Action No. 06-669-JJF.


UNITED STATES DISTRICT JUDGE

Order**Other Orders/Judgments**1:06-cv-00669-JJF Anderson v. General Motors

PaperDocuments

U.S. District Court**District of Delaware****Notice of Electronic Filing**

The following transaction was entered on 2/23/2007 at 11:26 AM EST and filed on 2/22/2007

Case Name: Anderson v. General Motors**Case Number:** 1:06-cv-669**Filer:****Document Number:** 11**Docket Text:**

ORDER that CA 06-669 is CONSOLIDATED into CA 05-877. All pleadings and documents shall be filed ONLY in CA 05-877 (See Order for Details).. Signed by Judge Joseph J. Farnan, Jr. on 2/22/2007. (lec)

1:06-cv-669 Notice has been electronically mailed to:

Michael Busenkell mbusenkel@eckertseamans.com

1:06-cv-669 Notice has been delivered by other means to:

Roland C. Anderson
113 Lloyd St.
Wilmington, DE 19804

The following document(s) are associated with this transaction:

Document description:Main Document**Original filename:**n/a**Electronic document Stamp:**

[STAMP dcecfStamp_ID=1079733196 [Date=2/23/2007] [FileNumber=347746-0]
[84345bfc8d8bdf8d8c5186ae187b162042e8970bcddaf4de172ca7a1997325e6972e
0789235cc421322dcef83510e279cda200b7b3f1ab7c3abaa65f18c10b4c]]

Conf. of SERVICES

TO Honorable Judge Joseph Foran III,
of DIST. Court of The State of Delaware.

Michael Busentell
Berkert S. Evans & Charin & Merrett, LLC
300 Delaware Avenue
Suite 1360
Wilmington, Del. 19801

Thank you
Ramon C. Anderson
1734 Log D Str,
Wd., Del. 19804
(302)-794-0914

Date 6-26-07

FAB

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ROLAND C. ANDERSON,

Plaintiff

v.

GENERAL MOTORS CORPORATION,

Defendant.

Civil Action No. 06-669 JJF

**RESPONSE TO PLAINTIFF'S MOTION TO STAY AND FOR
RECONSIDERATION OF THE ORDER DENYING ENTRY OF DEFAULT
JUDGMENT**

Before this Court is plaintiff's Motion to Stay the proceeding while his appeal is pending before the Third Circuit Court of Appeals. Specifically, plaintiff is appealing¹ the Court's Order Denying the Motion for Default Judgment. Plaintiff is apparently also seeking the Court reconsider its Order Denying the Motion for Default Judgment. While GM does not object to the requested stay, GM strongly objects to any vague request that the Court reconsider its prior Order regarding the Motion for Default Judgment.

As this Court is aware, the Third Circuit does not favor the entry of defaults or default judgments, preferring instead that cases be decided on their merits. Therefore, "doubtful cases [are] to be resolved in favor of the party moving to set aside the default judgment." *United States v. \$55,518.05*, 728 F.2d at 195. See also *Gross v. Stereo Component Systems, Inc.*, 700 F.2d 120, 122 (3rd Cir.1983). As such, this Court ruled that default was not warranted because plaintiff was not prejudiced by defendant GM's actions, GM had meritorious defenses to plaintiff's claims and there was insufficient evidence of culpability on the part of GM. Nothing in plaintiff's Motion contradicts any

12
6/25/07

Re: Leland C. Amberson
113 North STX,
W.D., Del. 19804

M.S.
11/1

Office of The Clerk
United States District Court
844 N. King Street, Lockbox 18
W.D., Del. 19801-3570

